



PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/688,090
		Filing Date	October 17, 2003
		First Named Inventor	Rubinah K. CHOWDHARY
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6	Attorney Docket Number	273012011601

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Form PTO-1449 (2 pages) Return postcard		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Karen R. Zachow, Ph.D. - 46,332
Signature	
Date	November 19, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>11-19-03</u>	Signature: <u></u> (Michael Boyd)



PATENT  
Docket No. 273012011601

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Michael Boyd

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Rubinah K. CHOWDHARY et al.

Serial No.: 10/688,090

Filing Date: October 17, 2003

For: DRUG DELIVERY SYSTEMS FOR  
PHOTODYNAMIC THERAPY

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/851,641, filed May 8, 2001, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.


Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 273012011601. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 19, 2003

Respectfully submitted,

By:   
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<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 273012011601	Application Number 10/688,090
	Applicant Rubinah K. CHOWDHARY et al.	
	Filing Date October 17, 2003	Group Art Unit Not Yet Assigned
	Mailing Date November 19, 2003	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.		60/129,324				April 14, 1999
	2.		09/551,159				April 14, 2000
	3.		09/551,160				April 14, 2000
	4.		09/851,606				May 8, 2001
	5.	12/1992	5,171,749	Levy et al.	514	410	
	6.	12/1992	5,173,504	Dougherty	514	410	
	7.	05/1994	5,308,608	Dolphin et al.	424	9	
	8.	04/1995	5,405,957	Tang et al.	540	472	
	9.	04/1996	5,512,675	Tang et al.	540	472	
	10.	04/1997	5,616,342	Lyons	424	450	
	11.	12/1997	5,703,230	Boyle et al.	540	145	
	12.	03/1998	5,726,304	Tang et al.	540	145	
	13.	11/1998	5,831,088	Dolphin et al.	540	474	
	14.	03/1999	5,880,145	Sternberg et al.	514	410	
	15.	03/1999	5,883,246	Bruckner et al.	540	145	
	16.	07/1999	5,919,923	Bruckner et al.	540	145	
	17.	07/1999	5,929,105	Sternberg et al.	514	410	

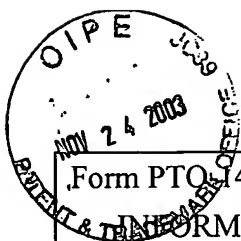
## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	18.	08/1998	WO 98/34644	WIPO				
	19.	04/1999	WO 99/18998	WIPO				
	20.	10/1999	WO 99/51284	WIPO				
	21.	11/2001	WO 01/85213	WIPO				
	22.	12/2001	WO 01/97848	WIPO				

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Form PTO/SB 1449

Docket Number 273012011601

Application Number 10/688,090

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Rubinah K. CHOWDHARY et al.

Filing Date October 17, 2003

Group Art Unit Not Yet Assigned

Mailing Date November 19, 2003

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	23.	Alexandridis et al., Macromolecules (1994) 27:2414-2425
	24.	Alison et al., Photochem. Photobiol. (1990) 52(3):501-507
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	44.	Wurstler, J. Amer. Pharm. Assoc. (1959) 48:451

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